



The Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

Matter of: The ARO Corporation--Request for Reconsideration  
File: B-225645.2  
Date: June 1, 1987

---

### DIGEST

Defense Logistics Agency (DLA) need not develop detailed specifications for each of the numerous small purchases it conducts for other agencies, but need only insure that purchases are based on the maximum competition practicable which, in most situations, may be generated by no more than a brief purchase description. Where, however, DLA specifies a manufacturer's part number that on its face describes a nonstandard item and which, circumstances show, will preclude firms that have no way of knowing what it means from competing, DLA should attempt to secure a further description of the item.

---

### DECISION

The Defense Logistics Agency (DLA) requests that we reconsider our decision in The ARO Corporation, B-225645, Apr. 10, 1987, 87-1 C.P.D. ¶ \_\_\_\_, in which we sustained ARO's protest that DLA request for quotations (RFQ) No. DLA700-87-Q-H197 was unduly restrictive of competition.

We affirm the decision.

The RFQ was issued using small purchase procedures to procure lubricating bucket pumps, and identified Stewart-Warner Corporation part No. SM-7181-H4 as the approved part; the RFQ included a "Products offered" clause that permitted firms to offer alternate products that were "either identical to or physically, mechanically, electronically and functionally interchangeable with the named product." ARO protested that although Stewart-Warner part No. 7181 is a standard commercial product described in Stewart-Warner's catalog, the added prefix and suffix indicated that DLA was not requesting the standard bucket pump. ARO complained that neither Stewart-Warner's catalog nor the RFQ explained what the modifications were, so that ARO was not able to offer an alternate part.

039066


In sustaining ARO's protest that the purchase description was inadequate to permit potential offerors of other than Stewart-Warner pumps to compete, we rejected DLA's defense that it was procuring the bucket pumps on behalf of the Navy and the cited part number was the only information concerning the item that the Navy provided. We concluded that DLA failed to obtain competition to the maximum extent practicable, as required for small purchases. We stated that the RFQ should have included some description of the government's needs or of the item's physical characteristics, and we did not understand why DLA could not obtain additional details concerning the bucket pump from the Navy or Stewart-Warner. There was no reason to believe that additional information was not readily available to DLA and, indeed, we noted that DLA did not even argue that was the case. We recommended that DLA cancel the solicitation, obtain additional information concerning the essential characteristics to be included in an alternate part, and issue a new solicitation containing the additional information.

In its request for reconsideration, DLA argues that our Office improperly concluded that DLA could have obtained the technical information necessary to develop a competitive specification and procure the item in a timely manner. Specifically, DLA alleges that the Navy probably does not have the technical data needed to do so, and argues that it was unreasonable on our part to suggest that Stewart-Warner would be willing to reveal its proprietary information in order to foster competition. DLA further argues that it is impossible, from both the standpoint of time and money, for the agency to procure the technical data and develop competitive specifications for each of the numerous small purchase procurements that DLA conducts for other agencies.

DLA evidently reads our decision as imposing a more onerous burden on the agency than we actually stated and meant. Our decision was not intended to suggest that DLA has to secure technical data and develop detailed specifications for small purchases like these. Instead, we specifically stated that it is proper to define an agency's needs through a purchase description where no applicable specification exists. We held, simply, that to insure the necessary maximum practicable competition in a small purchase situation it is incumbent on DLA, when specifying a manufacturer's part number that on its face describes a nonstandard item and which circumstances show will, consequently, limit the competition, to attempt to secure a further description of the item. The record disclosed no effort by DLA, even after ARO's challenge to the specification, to learn more about the specified part to explain what the prefix and suffix in issue meant or, as stated above, any suggestion by the

agency that additional details concerning the part number could not readily be obtained.

Our decision is affirmed.

*for*   
Comptroller General  
of the United States